



EUROPEAN LABOUR AUTHORITY – EUROPEAN SOCIAL SECURITY NUMBER

COMMENTS OF PEARLE*- Live Performance Europe

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The Commission sent on 27 November 2017 a message to European social partners regarding a dedicated hearing planned on 11 December on a European Labour Authority and on a European Social Security Number.

Pearle*-Live Performance Europe, the European employers association for the live performance sector took part in the consultation hearing in the employers delegation and gave a sectoral view on the European social security number.

In line with the messages presented by the employers group at the hearing, Pearle adheres to the observations made and comments given with regard to the creation of a European Labour Authority and proposal for a European Social Security Number.

With regard to the note presenting a proposal for a European Social Security Number, Pearle wishes to underline in particular the specific scope of such initiative for highly mobile workers.

Additional comment to the questions addressed in the note on the European Labour Authority

Pearle could see benefits of improved cooperation between national authorities with the aim to support cross-border activities which involve movement of labour. As the EU is characterised by SMEs it is crucial to have in place mechanisms which support and facilitate business cross-border activities.

Over recent year the Commission has undertaken several initiatives related to enforcement, controls, inspections, abuse and fraud. In this regard the Commission has focused its policy on measures to combat unfair practices. As this policy is achieving results, at the same time this has put pressure on bona fide employers who have to deal with increased administrative burdens and cumbersome procedures before being able to undertake cross-border activities.

If the Commission intends to set up a European Labour Authority that aims to improve cooperation, it is absolutely necessary that such body would also focus on support to users, in particular employers and SMEs alike. They need to be able to obtain all necessary information and have access to administrative obligations required by national authorities when undertaking cross-border activities.

Because of the great variations of legislation and requirements across the EU, national authorities should provide transparency and provide clear information so that employers can meet the conditions in an easy way. The ELA can then contribute by way of executing a coordinating role to a real European internal market whereby businesses can thrive instead of being refrained to undertake cross-border activities due to unclear administrative and cumbersome processes.

In this regard it is regretful that the EESSI and IMI do not contain a dimension which discloses information to employers, as certain access to information could facilitate ways to deal with cross-border movement, which now require costly consultant services and support, that often is even not affordable by small SMEs. The ELA could look into disclosing information or ways to access information, e.g. for registered employers, to those systems.

Additional comment to the questions addressed in the note on the European Social Security Number

Pearle can see benefits as regards a European Social Security Number for highly mobile workers. In fact, it had expressed a similar proposal in the context of a project conducted in the context of the 2006 European year on workers mobility¹ which resulted in study on impediments to mobility in the EU live performance sector including a chapter on social security.

In the following years, Pearle has regularly organised seminars on issues regarding social security and labour mobility in particular as regards posting of workers and simultaneous employment.

As regards the particular issue of simultaneous employment, Pearle drafted an exhaustive note explaining the particular difficulties on social security for employers including possible solutions which was further discussed with the Commission, academics and experts of national social security administrations.

In 2016 Pearle issued a publication geared to help employers and managers of cultural organisations to understand and apply the social security rules when undertaking cross-border cultural activities.

¹ See pages 35-36, Study on impediments to mobility in the EU live performance sector and on possible solutions

The European social security number could be helpful in resolving the ongoing problem for employers employing workers in a status of simultaneous employment. Suggestions have been formulated by national social security administration to set up a mechanism for such particular cases.

For those specific situations the mechanism would work as follows: employers would fulfil the social security contributions in the country of the employer, whilst the employee can continue to benefit and claim its social security rights in the country of residence. The national authority where the employer is based would then transfer accordingly the amount due for the coverage of the benefits to the country where the employee is resident. A European social security number would make such operation possible, whilst the national systems continue to be the basis upon which social security functions.

The introduction of a European social security number is therefore most needed for highly mobile workers, whilst a rolling out to other categories of citizens (tourists, pensioners, ...) could happen in a second phase, in particular because already there is the European health insurance card in place which responds to the needs of such mobile citizens.